

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-CV-11048-ADB

**JOINT MOTION FOR STAY OF DEFENDANTS' DEADLINE TO FILE ANSWER
OR OTHERWISE RESPOND TO FIRST AMENDED COMPLAINT**

President and Fellows of Harvard College (“Harvard”) and Defendants United States Health and Human Services, et al. (“Defendants”) hereby move this Court to stay Defendants’ deadline to file their Answer or otherwise respond to Plaintiffs’ First Amended Complaint, ECF No. 59, until the Court has ruled on the parties’ dispositive motions.

In support of the motion, the parties state as follows:

1. After the Court’s April 29, 2025 Order setting a deadline of May 19, 2025 for Defendants to produce the Administrative Record in this case, ECF No. 47, Harvard received a letter from Defendant Linda E. McMahon (dated May 5, 2025) informing Harvard that any future grant applications submitted by Harvard would be denied.

2. Harvard has also received grant award termination letters from several Defendants, including the National Institutes of Health (dated May 6, 2025); the United States Department of Agriculture (dated May 9, 2025); and the Department of Defense, Department of Energy, Department of Housing and Urban Development, and the National Science Foundation (dated May 12, 2025).

3. On May 13, 2025, Harvard filed its First Amended Complaint, which addressed each of these letters and attached them as exhibits. See ECF No. 59 ¶¶ 7-10; 87-94; Ex. D-J.

4. The parties have conferred and agreed that all non-privileged materials directly or indirectly considered in the issuance of these letters shall be included in the Administrative Record that will be produced by Defendants on May 19, 2025. In light of these agreements, the current briefing schedule continues to be amenable to the parties.

5. In addition, the parties have conferred and have agreed to stay Defendants' deadline to file their Answer or otherwise respond to Plaintiffs' First Amended Complaint, ECF No. 59, until 30 days after the Court has ruled on the parties' dispositive motions.

6. In light of the parties' agreements, they respectfully request that the Court enter an Order staying Defendants' deadline to answer or otherwise respond to Plaintiffs' First Amended Complaint until 30 days after the Court has ruled on the parties' dispositive motions.

Dated: May 16, 2025

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CERTIFICATE OF SERVICE

I, Steven P. Lehotsky, hereby certify that a true copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 16, 2025.

/s/ Steven P. Lehotsky
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